

Ross A. Boden
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April 27, 2022

National FOIA Office
U.S. Environment Protection Agency
1200 Pennsylvania Avenue, NW (2310A)
Washington, DC 20460

Re: Open Records Request – Flat Land Excavating

Dear Sir or Madam:

Please accept this letter as our formal open records request in connection to the above along with an Exhibit A outlining the requested documents. Please advise of the cost for said records and we will promptly forward payment.

Thank you.

Very truly yours,



Ross Boden

Ing
Enclosure:
Exhibit A

EXHIBIT A

DEFINITIONS:

“Leavenworth County Officials” as the county commissioners, county counselor, county attorney, planning and zoning department, code enforcement, and any other employee, elected official, or other representative acting on behalf of Leavenworth County.

“State of Kansas Officials” as any employees or representatives acting on behalf of the State of Kansas, including without limitation the Department of Health & Environment and Thomas Hayes.

“Environmental Protection Agency Officials” as any employees or representatives acting on behalf of the Environmental Protection Agency, and any other employee, elected official, or other representative acting on behalf of Leavenworth County.

“Correspondence(s)” means any correspondence in any form from one entity to another, including, but not limited to, letters, **emails**, **text messages**, instant messages or electronic messages on any platform (such as Microsoft Teams or Facebook), faxes, voice mails, transcripts, or any other correspondence.

“Document(s)” means electronically stored information and any and all writings, letters, memoranda, notes, spreadsheets, periodicals, pamphlets, reports, evaluations, records, studies, test results, working paper diaries, charts, papers, graphs, indexes, data sheets, data processing cards, tape recordings, photographs, plans, drawings, bids, PDFs, Microsoft Word documents, paper or electronic files, meeting notes or minutes, recordings of meetings, or any other writing however produced or reproduced.

“Flat Land” means Flat Land Excavating, LLC and its agents, representatives, owners, members, managers, employees, supervisors, related entities, parents, subsidiaries, successors, assigns, licensed architects, and any other person acting on their behalf, including without limitation, Christina Britz.

“Cease-and-desist letter” means the cease-and-desist letter sent by Leavenworth County Officials to Flat Land on or around February 9, 2022 and again on February 15, 2022 mandating Flat Land to immediately cease “[a]ll incoming business activity.”

Unless stated otherwise, the time period is limited to the date range of **December 1, 2021 to the present date**.

PLEASE PRODUCE THE FOLLOWING DOCUMENTS **IN ELECTRONIC FORM**:

1. All correspondence with Leavenworth County Officials’ relating to Flat Land.
2. All correspondence with State of Kansas Officials’ relating to Flat Land.

3. Copies of all Complaints against Flat Land since May 1, 2019.
4. Call logs for all Complaints against Flat Land since May 1, 2019.
5. Copies of all reports or summaries of the EPA's findings or conclusions related to complaints made against Flat Land since March 10, 2019 to the present, including any documents identifying the name and contact information of the complainant for each such complaint.

SANDBERG
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15th Floor
St. Louis, MO 63101

MAY 04 2022



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